

**Document:** Final Rule

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**TITLE 812 INDIANA AUCTIONEER COMMISSION**

LSA Document #99-212(F)

**DIGEST**

Amends 812 IAC 1-1-38 to remove the requirement that all auctioneers, auction houses, and auction companies must be listed on all advertisements but require that the principal auctioneer, auction house, and auction company be listed. Amends 812 IAC 1-1-39 to allow the auction sign to be located in one of three conspicuous places and require that all auctioneers, auction houses, and auction companies be listed. Effective 30 days after filing with the secretary of state.

**812 IAC 1-1-38**

**812 IAC 1-1-39**

SECTION 1. 812 IAC 1-1-38 IS AMENDED TO READ AS FOLLOWS:

**812 IAC 1-1-38 Advertising**

**Authority:** IC 25-6.1-2-5

**Affected:** IC 25-6.1-6-5

Sec. 38. In addition to the requirements under IC 25-6.1-6-5, all advertisements of auctions shall disclose the following:

- (1) The name and license number of ~~any the principal~~ **any the principal** auctioneer involved in the auction.
- (2) The name and license number of ~~any the principal~~ **any the principal** auction house involved in the auction.
- (3) The name and license number of ~~any the principal~~ **any the principal** auction company involved in the auction.

*(Indiana Auctioneer Commission; 812 IAC 1-1-38; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1951; filed Oct 16, 2000, 10:17 a.m.: 24 IR 687)*

SECTION 2. 812 IAC 1-1-39 IS AMENDED TO READ AS FOLLOWS:

**812 IAC 1-1-39 Posting auction sign**

**Authority:** IC 25-6.1-2-5

**Affected:** IC 25-6.1-2

Sec. 39. (a) Each licensee shall ~~be~~ **be** jointly ~~be~~ **be** responsible for posting a sign at **either** the main entrance of the auction, ~~which the place of registration, or by the cashier that~~ states the following:

- (1) The name and license number of ~~any auctioneer~~ **all auctioneers** involved in the auction.
- (2) The name and license number of ~~any auction house~~ **all auction houses** involved in the auction.
- (3) The name and license number of ~~any auction company~~ **all auction companies** involved in the auction.
- ~~(4) That the auction is being conducted pursuant to the Uniform Indiana Commercial Code; the Indiana Auctioneer and Auction Licensing Act; and the rules of the Indiana auctioneer commission.~~
- ~~(5)~~ **(4)** That the persons identified in ~~subdivisions (1) through (3)~~ **this subsection** are licensed by the Indiana Auctioneer Commission, Indiana Government Center, Indianapolis, Indiana 46204.

(b) The sign required under subsection (a) shall be no smaller than twenty-four (24) inches by thirty (30) inches, and the letters and numbers appearing on the sign must be of adequate size so that they may be readily seen by an individual with normal vision when ~~reviewing~~ **viewing** them. *(Indiana Auctioneer Commission; 812 IAC 1-1-39; filed Apr 2, 1993, 5:00 p.m.: 16 IR 1951; filed Oct 16, 2000, 10:17 a.m.: 24 IR 687)*

LSA Document #99-212(F)

Notice of Intent Published: 23 IR 364

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*Approved by Governor: October 12, 2000*

*Filed with Secretary of State: October 16, 2000, 10:17 a.m.*

*Incorporated Documents Filed with Secretary of State: None*